



03 MAR 2008

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In re Application of :
Wechs :
Application No. 10/588,016 :
PCT No.: PCT/EP05/01507 :
Int. Filing Date: 15 February 2005 :
Eff. Priority Date: 19 February 2004 : DECISION
Atty. Docket No.: 2037.6 :
For: High-Flux Dialysis Membrane :
With Improved Separation Behaviour :

This is in response to the "Petition Under Rule 182" filed on 07 August 2007.

BACKGROUND

This international application was filed on 15 February 2005, claimed an earlier priority date of 19 February 2004, and designated the U.S. The International Bureau transmitted a copy of the published international application (in German) to the USPTO on 09 September 2005. The 30 month time period for paying the basic national fee in the United States expired at midnight on 19 August 2006. Applicant filed, *inter alia*, a basic national fee on 01 August 2006.

On 07 November 2006, a Notice of Acceptance (Form PCT/DO/EO/903) was mailed to counsel, indicating the date of this application under 35 U.S.C. 371(c)(1), (2) and (4) to be "08/01/2006."

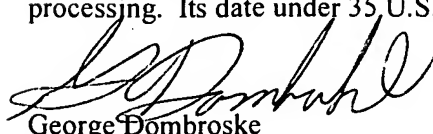
DISCUSSION

Petitioner indicates in part that "On July 31, 2007, the undersigned learned that the English translation file in the above captioned application was incorrect... Accordingly, the undersigned respectfully requests that the correct English translation of the priority application be entered in the instant application... Any additional fees may be charged to Deposit Account No. 082447." In view of the totality of the circumstances present in this case, the English translation accompanying the instant petition is accepted. As the earlier-filed English translation was defective, the Notice of Acceptance (Form PCT/DO/EO/903) mailed on 07 November 2006 is hereby VACATED. The processing fee under 37 CFR 1.492(i) has been paid.

DECISION

The petition is GRANTED.

This application is being returned to the Office of Patent Application Processing for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is 07 August 2007.


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